

point V:

Subject-matter of the present application are bicyclic fused pyridinyl amides which are active as fungicides.

Closes prior art is the document **WO 01/11966** already briefly mentioned on page 1 of the description. This reference is relevant under Art.33(2) as well as under Art.33(3) PCT. The Applicant's attention is in particular directed to Example 14 which is novelty destroying to most of the claims of the present application.

The characteristic feature of the compounds claimed is apparently the annelated pyridine-3-carboxamide partial structure. This element is however already known from D1; reference is made in this connection also to the isomer of Example 40. Nothing inventive is to be seen in the further elaboration of the idea to depart from a 3-carboxy pyridine and to annelate this partial structure at positions X/Y and X/Z, respectively.